



PUBLIC NOTICE

Federal Communications Commission
445 12th St., S.W.
Washington, D.C. 20554

News Media Information 202 / 418-0500
Fax-On-Demand 202 / 418-2830
TTY 202 / 418-2555
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

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CONSUMER INFORMATION BUREAU REMINDS TELECOMMUNICATIONS CARRIERS OF THEIR OBLIGATIONS TO REGISTER AND DESIGNATE AN AGENT FOR SERVICE OF PROCESS

CC Docket No. 94-129

The FCC's Consumer Information Bureau (CIB) reminds all telecommunications carriers that they must file certain portions of FCC Form 499-A when they commence providing telecommunications service. These portions of Form 499-A are used to register with the Commission and designate an agent for service of process.¹ CIB encourages carriers to submit this information at least one week prior to providing service.² Carriers should refer to the Instructions to FCC Form 499-A, available online at <http://www.fcc.gov/Forms/Form499-A/499a.pdf>, for guidance on how to file the required information. A carrier that fails to register with the Commission or provides false or misleading information in its registration may, after notice and opportunity to respond, be fined or have its operating authority revoked or suspended.³

The required information includes the carrier's business name(s) and primary address(es), the names and business addresses of certain of the carrier's officers, the carrier's regulatory contact and designated agent for service of process, all names under which the carrier has conducted business in the past, and the state(s) in which the carrier provides telecommunications service. This registration information is available to the public online at

¹ The annual April filing of the full Telecommunications Reporting Worksheet (FCC Form 499-A) is used to calculate carriers' contributions to the interstate telecommunications relay service (TRS), federal universal service support mechanisms, the cost-recovery mechanism for the North American Numbering Plan Administration, and the cost recovery mechanism for the shared costs of long-term local number portability.

² See 47 C.F.R. § 64.1195(h) (requiring underlying carriers to confirm that a potential carrier-customer is registered with the Commission prior to providing that carrier-customer with service).

³ 47 C.F.R. §§ 64.1195(e) and (f). See also 47 U.S.C. § 413 (requiring designation of agent for service of process).

<http://gullfoss2.fcc.gov/cib/form499/499a.cfm>. The registration requirement enables the Commission to monitor the entry of carriers into the telecommunications marketplace. It further provides a means for the Commission to track and contact carriers that engage in “slamming,” the illegal practice of changing a consumer’s telephone service without permission.

By statute, carriers are required “to designate in writing an agent in the District of Columbia” upon whom all notices, process, orders, and Commission decisions may be served on behalf of that carrier in any proceeding pending before the Commission.⁴ We reiterate that, pursuant to this requirement, carriers must designate a *single* agent for service of process in the District of Columbia for all Commission business. Although FCC Form 499-A permits carriers to designate alternate or local agents for service of process, each designated agent for a particular carrier must accept service for all purposes relating to Commission business. A carrier may not limit a designated agent’s ability to accept service on behalf of the carrier by subject matter, by jurisdiction, or by any other grounds.

Both new and existing carriers must update their registration and designated agent information to reflect any changes by submitting the revised relevant portion of the Form 499-A within one week of the change.⁵ Changes to this information should be filed in accordance with the Instructions to FCC Form 499-A.

CIB notes that FCC Form 499-A asks carriers to enter a “Filer 499 ID” number. For many carriers, this is the same six-digit number formerly referred to as the Telecommunications Relay Service (TRS) Company Code. The Filer 499 ID is assigned by the Commission’s Data Collection Agent. Filer 499 ID numbers and USF contribution status for registered carriers can be found on the CIB web site at <http://gullfoss2.fcc.gov/cib/form499/499a.cfm>. New carriers will be assigned a Filer 499 ID number once the Data Collection Agent receives the completed portions of the Form 499-A. The Data Collection Agent can be reached at Form499@neca.org or at 973-560-4460. Because new carriers must obtain a Filer 499 ID before they can obtain service for resale, new carriers are advised to file a copy of their registration information with the Data Collection Agent before they expect to commence service.

FOR ADDITIONAL INFORMATION, CONTACT: Brock Fekken, Consumer Information Bureau (Gettysburg), 717-338-2725, E-mail: bfekken@fcc.gov or James Lande, Industry Analysis Division, Common Carrier Bureau, 202-418-0940, E-mail: jlande@fcc.gov, FCC, 445 12th Street, SW, Washington, D.C. 20554.

⁴ 47 U.S.C. § 413. *See also* 47 C.F.R. § 1.47(h) (stating that every common carrier subject to the Act “shall designate an agent in the District of Columbia” for service of process).

⁵ 47 C.F.R. § 64.1195(g).